National Transportation Safety Board Washington, DC 20594

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Brief of Accident

Adopted 05/29/2007

DEN07CA070

File No. 21439 02/09/2007 Ingalls, KS Aircraft Reg No. N5737M Time (Local): 22:30 CST Make/Model: Mooney Acft Corp. / M20K Fatal Serious Minor/None Engine Make/Model: Continental / TSIO-360 Crew 0 0 1 Aircraft Damage: Substantial Pass 0 0 0 Number of Engines: 1 Operating Certificate(s): None Type of Flight Operation: Personal Reg. Flight Conducted Under: Part 91: General Aviation Last Depart. Point: SAN DIEGO, CA Condition of Light: Night Destination: GARDEN CITY, KS Weather Info Src: Weather Observation Facility Airport Proximity: Off Airport/Airstrip Basic Weather: Instrument Conditions Lowest Ceiling: 400 Ft. AGL, Overcast Visibility: 3.00 SM Wind Dir/Speed: 110 / 006 Kts Temperature (°C): -3 Precip/Obscuration: Mist Pilot-in-Command Age: 62 Flight Time (Hours) Certificate(s)/Rating(s) Total All Aircraft: 837 Private; Single-engine Land Last 90 Days: 22 Total Make/Model: 697 Total Instrument Time: 110 Instrument Ratings Airplane

According to the pilot, he was diverting to another airport, after attempting an instrument approach at his original destination. The pilot reported that, " the engine started to sputter again, then quit. I was out of fuel." The pilot performed a forced landing to a field, resulting in substantial damage. An examination of the airplane's systems, conducted by the FAA, revealed no anomalies.

Brief of Accident (Continued)

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Occurrence #1: LOSS OF ENGINE POWER(TOTAL) - NONMECHANICAL

Phase of Operation: CRUISE - NORMAL

Findings

1. (C) IN-FLIGHT PLANNING/DECISION - INADEQUATE - PILOT IN COMMAND

2. (C) FLUID, FUEL - EXHAUSTION

3. (C) REFUELING - NOT PERFORMED - PILOT IN COMMAND

4. (F) WEATHER CONDITION - BELOW APPROACH/LANDING MINIMUMS

Occurrence #2: FORCED LANDING Phase of Operation: DESCENT - EMERGENCY

Findings

5. TERRAIN CONDITION - GROUND

Findings Legend: (C) = Cause, (F) = Factor

The National Transportation Safety Board determines the probable cause(s) of this accident as follows.

The pilot's inadequate in-flight planning and decision making, and failure to refuel while en route, resulting in loss of engine power

during cruise due to fuel exhaustion. Contributing to the accident was the poor weather at the pilot's destination.